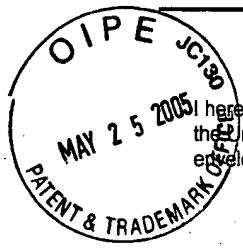


IFW/AF



CERTIFICATE OF MAILING

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P.O. Box 1450
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on May 23, 2005

Edward A. Squillante, Jr.
Reg. No. 38,319

Attorney for Applicant

May 23, 2005
Date of Signature

PATENT

CASE #F6146(C)
UNUS #02-0058-U/US

RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP # 1761

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Farr et al.
Serial No.: 10/081,575
Filed: February 22, 2002
For: Effervescent Beverage Product and Method for Drinking the Same
Group: 1761
Examiner: Robert Madsen
Englewood Cliffs, New Jersey 07632

AMENDMENT AND REPLY UNDER 37 CFR §1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following reply is responsive to the Office Action mailed February 23, 2005. Claims 1-21 were the claims originally presented for prosecution on the merits, and they are the claims that remain pending in the application. Reexamination and reconsideration of the subject application are respectfully requested.

Also, enclosed herewith, is a Notice of Appeal to the Board of Appeals and Patent Interferences.

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on May 23, 2005

EDWARD A. SQUILLANTE, JR.
Reg. No. 38,319
Attorney for Applicant(s)

May 23, 2005
Date of Signature



In re application of: Farr et al.
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Englewood Cliffs, New Jersey 07632

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.
[] No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED

	(2) * Claims Remaining After Amendment		(4)** Highest No. Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims	21	Minus	21	—	\$ 50.00	—
Independent Claims	2	Minus	3	—	\$ 200.00	—
Multiple Claims					\$ 360.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$	0.00

*If the entry in Column (2) is less than the entry in Column (4), write "0" in Column (5).

**If the "Highest No. Previously Paid For" is less than "20," write "20" in this space.

[] Charge \$ _____ to Deposit Acct. #12-1155. Triplicate copies of this letter are enclosed.
[X] The Commissioner is hereby authorized to charge any additional fees, which may be required to our deposit account No. 12-1155, including all required fees under

- [X] 37 C.F.R. § 1.16;
[X] 37 C.F.R. § 1.17;
[X] 37 C.F.R. § 1.18.

Triplicate copies of this letter are enclosed.

EAS/pod
(201) 894-2925

Edward A. Squillante, Jr.
Attorney of Record
Reg. #38,319